

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation)	
)	
or Suspension of the Educator)	ORDER OF
)	
Certificate of Cedrick C. West)	PERMANENT REVOCATION
)	
Certificate # 205740)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on March 9, 2004. On May 2, 2003, the South Carolina Department of Education (Department) sent Mr. Cedric C. West a notice of his right to a hearing before the State Board concerning the possible suspension or revocation of his South Carolina educator certificate (certificate) number 205740 by certified mail, return receipt, restricted delivery, and regular mail. The notice and several subsequent notices were returned to the Department unclaimed by the United States Postal Service. On May 12, 2003, Mr. West requested a hearing, which was scheduled for February 19, 2004, before John J. Fantry, Jr., Esquire, a hearing officer appointed by the State Board. Mr. West appeared at the hearing and was not represented by counsel. At the beginning of the hearing, the attorney for the Department and Mr. West requested a recess to discuss an alternative resolution. Mr. West subsequently agreed to the voluntary surrender of his certificate, in lieu of continuing the hearing where the Department would seek the permanent revocation of his certificate. The proposal allowed Mr. West the right to re-apply for a certificate after three years from the date of the order. If he chose to re-apply for a certificate, Mr. West would first undergo a character fitness review by the State Board. This surrender would be reported to the NASDTEC Clearinghouse and all South Carolina school districts on the grounds of unprofessional conduct. Mr. West indicated to the hearing officer that he understood the proposal and freely agreed to accept it.

Based on the statements made by the Department and Mr. West, Mr. Fantry ordered a stay of the hearing until the proposal could be presented to the State Board. Mr. West provided another address for the Department and Mr. Fantry to mail him the necessary documents. The proposal sent by the Department and the order sent by Mr. Fantry to the address given by Mr. West were returned by the United States Postal Service, indicating the address was not valid. Mr. Fantry then issued an order that was provided to the State Board that dissolved the stay, and held that Mr. West had waived his right to further hearings on the matter. After considering the evidence presented as undisputed by Mr. West due to his failure to comply with his prior agreement, the State Board voted to permanently revoke Mr. West's certificate.

Mr. West holds a valid South Carolina certificate with over six years of teaching experience credit. He was under contract with Anderson County School District Five (District) for the 2002-2003 school year as a teacher at Westside High School. On October 22, 2002, the District placed Mr. West on administrative leave following an investigation into allegations that he requested that a female student perform oral sex on him in his classroom. During the District's investigation into this matter, evidence was obtained concerning prior acts of misconduct by Mr. West in the presence of students. Mr. West admitted a girlfriend stabbed him in his apartment while a student and recently graduated students were present in his home. He also admitted he resigned from a school district in North Carolina following allegations that he had inappropriate physical contact with a eighteen year old female who was the daughter of a woman he was dating. On April 9, 2003, the District Superintendent suspended Mr. West and recommended his termination from employment, citing her serious concerns with his inappropriate conduct towards and in the presence of students. On April 10, 2003, Mr. West resigned, effective May 21, 2003.

CONCLUSIONS OF LAW

“The South Carolina Board of Education may, for just cause, either revoke or suspend the certificate of any person.” S.C. Code Ann. § 59-25-150 (1990). Just cause includes “Unprofessional conduct ...and...Evident unfitness for the position for which employed.” S.C. Code Ann. § 59-25-160 (1990). The State Board finds that the preponderance of the evidence presented supports its decision to permanently revoke Mr. West’s certificate # 205740, effective March 9, 2004, upon the conditions set forth above.

South Carolina State Board of Education

By: /S/ Mary E. Jones
Dr. Mary E. Jones
Chair

Columbia, South Carolina
March 9, 2004